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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Scott E. Andersen *et al.*

Appl. No.: 10/020,338

Filed: 12/12/2001

For: Nucleic Acid Molecules and Other  
Molecules Associated with Plants

Art Unit: 1631

Examiner: MARTINELL, JAMES

Atty. Docket: 38-21(52272)B

**Response to Restriction Requirement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 12, 2003, Applicants submit the following remarks.

***Remarks***

The application presently contains claims 1-10. In the Office Action mailed May 12, 2003, the Examiner required restriction to one of the following inventions under 35 U.S.C. § 121:

Group I: Claims 1, 2, and 4-10, drawn to nucleic acids and transformed plants, classified in class 536, subclass 23.6 and class 800, subclass 295, 320.1, 312, 320.3, and 314; and

Group II: Claim 3, drawn to polypeptides, classified in class 530, subclass 350.



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P.O. Box 1450  
Alexandria, VA 22313-1450

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Re: U.S. Utility Patent Application No. 10/020,338  
Filed: December 12, 2001  
For: Nucleic Acid Molecules and Other Molecules Associated With  
Plants  
Inventors: Scott E. Andersen *et al.*  
Atty. Docket: 38-21(52272)B

Sir:

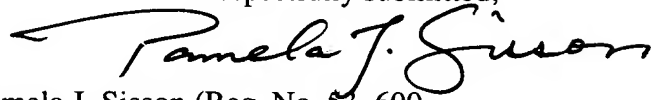
Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO) are the following documents:

1. Response to Restriction Requirement (dated 5/12/2003 );
2. Certificate of Mailing for Response to Restriction Requirement; and
3. (1) Return receipt-postcard.

It is respectfully requested that the attached postcard be stamped with the date of Filing of these documents, and that it be returned to us. In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 13-4125, referencing matter number 38-21(52272)B.

Respectfully submitted,



Pamela J. Sisson (Reg. No. 53, 600)

Date: June 10, 2003

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**Certificate of Mailing**

I hereby certify that this Response to Restriction Requirement, is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on June 10, 2003

GRACIE WILLIAMS  
(Printed name of person signing this certificate)

Gracie Williams  
(Signature)